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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,919	07/09/2001	Kazuhiro Asada	110064	4531

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EXAMINER

KIM, RICHARD H

ART UNIT PAPER NUMBER

2871

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,919

Applicant(s)

ASADA, KAZUHIRO

Examiner

Richard H Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over van Woesik (US 5,452,386) in view of Herrmann (US 6,174,091 B1).

Referring to claim 1, van Woesik discloses an optical connector comprising a housing having a cord receiving hole portion (see Fig. 7, ref. 4, 22, 24) and a mounting hole (see Fig. 7, ref. 33), the cord receiving hole portion receiving an optical fiber to be inserted along an axis of the optical fiber cord in a cord insertion direction (see Fig. 15, ref. 6), the mounting hole disposed along the cord receiving hole portion (see Fig. 7, ref. 33); and a stopper including a plate-like portion having a positioning slit (see Fig. 11, ref. 66, 67), the positioning slit having a width slightly smaller than a diameter of the optical fiber cord (see Fig. 19, ref. J, 65, 67; col. 5, lines 60-66), wherein the plate-like portion of the stopper can be inserted into the mounting hole along the cord receiving hole portion in a stopper insertion direction perpendicular to the cord insertion direction of the optical fiber cord (see Fig. 15, ref. 12); the housing has a stopper retaining portion for holding the plate-like portion of the stopper, the stopper retaining portions engaging a retaining side of the plate-like portion and having a cross-section perpendicular to the cord insertion direction of the optical fiber cord (see Fig. 11, ref. 70; col. 5, lines 67-68); and when the stopper is inserted into the mounting hole along the cord receiving hole portion, each of

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blade portions penetrates into a covering portion of the optical fiber cord, with the positioning slit being perpendicular to the axis of the optical fiber cord (see col. 5, lines 60-66; Fig. 19), thereby fixing the optical fiber along the axis of the optical fiber cord (see col. 5 lines 66-67). It is the position of the examiner that when the blade portion penetrates into a covering portion of the optical fiber, a portion of the covering portion would inherently be removed since the blade portion would effectively displace the area of the covering portion that was cut. However, the reference does not disclose blade portions, and each of the blade portions being formed by a side edge of the positioning slit joined at a right angle to a distal end edge of the plate-like portion.

Herrmann discloses blade portions (see Fig. 5, ref. 11).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to disclose blade portions in order to facilitate the ease in which the stopper can be inserted into the covering portion of the fiber. Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the blade portions to be formed by a side edge of the positioning slit joined at a right angle to a distal end edge of the plate-like portion since it would have been an obvious matter of design choice to implement such a modification, since applicant has not disclosed that having the side edge of the positioning slit joined at a right angle to a distal end edge of the plate-like portion solves any states problem or is used for any particular purpose and it appears that the invention would perform equally well with the chaffered edge disclosed in Herrmann and van Woesik.

Referring to claim 2, van Woesik discloses a stopper including a pair of plate-like portions interconnected by an interconnecting piece portion in parallel relation to each other, so

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that the stopper has a generally U-shape when viewed from the side thereof (see Fig. 19, ref. 62, 66).

Referring to claim 3, van Woesik and Herrmann disclose the device previously recited. However, the references do not disclose that the side edge of the positioning slit for each of the blade portions projects a gable wedge having a cross-section corner along a thickness midline of the side edge for each of the blade portions, the cross-section corner extending towards the positioning slit.

It would have been obvious to one having ordinary skill in the art at the time the invention was made for the side edge of the positioning slit for each of the blade portions projects a gable wedge having a cross-section corner along a thickness midline of the side edge for each of the blade portions, the cross-section corner extending towards the positioning slit in order to provide a sharper blade edge since such a modification facilitates a sharp edge to improve the ease in which the stopper can be cut into the covering. Moreover, a blade, by definition is constructed to create a sharp edge along the edge in which cutting is to occur. As a result, such a modification provides no further advantage, purpose or function than that of the blade disclosed by Herrmann. As a result, such a modification would be functionally equivalent.

Referring to claim 4, van Woesik discloses a device wherein the distal end edge of the plate-like portion slants from a first cross-section face of the plate-like portion to a second cross-section of the plate-like portion (see Fig. 15, ref. 12).

Allowable Subject Matter

3. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. The following is a statement of reasons for the indication of allowable subject matter:
The prior art of record, taken alone or in combination, fails to teach or disclose an optical connector in which reverse blades are formed on and project from each of the proposed side edges of the positioning slit toward the inside of the positioning slit, the reverse blades being directed in a direction generally opposite to the direction of the insertion of the plate-like portion.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard H Kim whose telephone number is (703)305-4791. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H Kim can be reached on (703)305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7722 for regular communications and (703)308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

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Richard H Kim
Examiner
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RHK
July 19, 2003

A handwritten signature in black ink, appearing to be 'RHK', located below the typed name of the examiner.